



**CALIFORNIA VETERANS BOARD**  
**GENERAL SESSION MEETING #671**  
**September 24, 2004, 9:00 a.m.**  
**West Los Angeles VA Medical Center**  
**11301 Wilshire Blvd**  
**Los Angeles, CA 90073**



**GENERAL SESSION:**

The California Veterans Board (CVB) monthly public meeting was called to order at 9 A.M. Board members present included Chairman George Sinopoli (Fresno), Vice Chairman Leo Burke, Members Judy Gaze (San Diego), and Dr. Vernon Chong (Lincoln)

Tom Montague led the invocation. Floyd Martin led the Pledge of Allegiance.

Introduction and welcoming remarks by Ralph Tillman, Director of Assets Management Greater Los Angeles Healthcare USDVA

**Chairman Sinopoli:** Introduced the members of the Board, and CVB Executive Officer Sandra Munoz.

**Secretary Thomas Johnson:** Introduced his staff.

**Chairman Sinopoli:** Welcomed the audience and asks the audience to introduce them selves.

**Motion moved to approve August 20, 2004 minutes, seconded by Leo Burke. Motion passed to approve August 20, 2004 minutes.**

**OLD BUSINESS**

Statement AB 1077.

**Chairman, George Sinopoli:** Read a statement pertaining to AB 1077 a bill to provide additional 100 million lease revenue bonds for new construction of five new veteran homes.

**Leo Burke, Vice Chairman:** George Sinopoli has given the legislative report which was AB 1077, if any questions please see him or George after the meeting.

**Secretary Thomas Johnson:** Commented that over the past seven months many veteran organization representatives, veteran advocates, other community representatives have asked how can we help you with the work that needs to get done. Mr. Chairman stated that it's a bipartisan effort. Two things this bill was passed due to bipartisan basis, just one negative vote. Very supported by both sides. Supported by all these groups in the audience. Many wrote letters, calling representatives in the Assembly and the Senate. People writing to the Governor's Office. This is service to the veterans as Mr. Chair stated. We need to thank all the veterans, veterans' organizations and leadership in making this law a reality.

**Leo Burke, Vice Chairman:** Asked who was that lone vote, jokingly.

**George Sinopoli, Chairman:** No names Mr. Burke and apologized for earlier statement was incorrect of 10 million, it actually is a total of 162 million for the construction of the homes.

Statement from Chairman on Policy C-10

**George Sinopoli, Chairman:** Requested Dr. Vernon Chong to give report on policy C-10:

**Dr. Vernon Chong:** Reported on a committee meeting September 13, 2004 at Georgetown on Policy and Procedures. Present were Howell Jackson, Leo Burke, Vernon Chong. Review C-10 on military spouses and also Military Veterans Code Section 1012 and read comments from interested parties. The policy was in need to be revised and amended to clarify the board's position. I did go meet with the administrator at Yountville and the members of the Allied Counsel. The Committee members agree that the policy needs to be clearer. Submitted policy C-10. Read Policy C-10. Read Resolution adopted by the California Veterans Board on September 24, 2004, public record available.

**Motioned to adopted Policy C-10 and resolution and seconded by Leo Burke. Motion passed to adopt the revised Policy C-10 and resolution.**

**George Sinopoli, chairman:** Acknowledged to Secretary Thomas Johnson that Chairman is sure that the Secretary will carry out this policy.

**Secretary Thomas Johnson:** Responded "you have taken a monkey off my back Mr. Chairman".

**Audience member asked a question?** Why do you admit a non-veteran in veterans home?

**George Sinopoli, Chairman:** Answered by saying we are not admitting non veterans in the veterans home, these are wives who live at the veterans homes and their veteran spouses have died and the law states these spouses have the right to continue to live at the veterans home. It is a veteran's spouse.

## **NEW BUSINESS**

New Construction Veterans Homes Update by Dr. Robert Johnson

**Dr. Robert Johnson, Chief of New Construction:** Slid show on development process on where Lancaster, Ventura, West Los Angeles Facilities today and brief comments on Fresno and Redding Veterans Homes. GLAVC the greater Los Angeles Ventura Counties Veterans Homes is a unified sharing of veterans homes, sharing of personnel, resources, to come up with 520-bed unit. 60 beds Lancaster, 60 bed in Ventura, 400 beds in West Los Angeles. Level of care projected in Lancaster Home and Ventura Homes residential care for the elderly, those members will receive skilled nursing facility

care if need in Los Angeles also in Ventura and Lancaster 50 member program will be adult day health care. West Los Angeles 88 beds of RCFE, 252 Skilled Nursing and 60 beds of skilled nursing with an emphasis on specialized care of Alzheimer and dementia. Total projected cost of all three facilities is 203 million dollars. The site was discussed in West Los Angeles. A sloping site on the West Los Angeles VA Medical Center property. Work very closely with the West Los Angeles VA Medical Center staff. Some approaches are going to be different from the other veteran's homes. The standards from the USDVA are much higher in privacy issues. Private baths and more medical services, much bigger needs. Architects designed the facility to reflect the out door lighting. The basic bedroom model for West Los Angeles will be private bath and private bed modules. Two private rooms sharing a bath, no sharing rooms. The central station for nursing station will be near the wondering gardens because personnel still needs to keep a eye on the members. The garden will be centralized near the professional staff station. Each neighborhood will consist of 15 people. There are no changes from the last presentation. Scheduled to open June 2009, west Los Angeles. Lancaster and Ventura October 2008. AB 1077 will make available guaranteed funds for Fresno and Redding. Fresno a 300 beds 120 RCFE and 180 beds skilled nursing total cost will be 97 million dollars. It will be started with the current project development of GLAVC are completed. Redding 150 beds, 60 RCFE, 90 beds skilled nursing total cost of 39 million. Legislation requires that funding for GLAVC be completed before we can move forward in the Redding and Fresno project. Current project grant from VA in May 2007, which will say this, is how money VA will give CDVA. AB 1077 and previous legislation was designed to build all five facilities and that is what we intend.

**George Sinopoli, Chairman:** Questions from the audience?

**Don Lake:** Noticed that the word elderly was used, I'm aware that there are kinds of considerations for all the different homes for those who are over 62 years old and disabled, how would that fit in with elderly?

**Dr. Robert Johnson:** Skilled nursing could have a variation of nursing care?

**Don Lake:** There won't be domiciliary care at those facilities?

**Dr. Robert Johnson:** No will there will not.

**George Sinopoli, Chairman:** Any other questions?

**George Sinopoli, Chairman:** My questions is the land transfer, the only one's that are not transferred are Fresno and Redding?

**Dr. Robert Johnson:** You are correct.

**George Sinopoli, Chairman:** When is Fresno ready to go?

**Dr. Robert Johnson:** The department of Finance has assured us the funds will be available.

**Secretary Thomas Johnson:** Estimate of the cost of the transfer of the land was the first thing done. Next is working with the colleagues and we are not going to readily accept the price they are giving us. Every price they give us, architectural, service or land transfer price. If we believe that price could be less we are negotiating it with them. On Monday I am meeting with the department of finance about releasing the dollar terms from a special fund that is available to us. Goal is to occur by the end of the

year to have the land transferred to CDVA. We are optimistic that we are going to achieve that timetable.

**Tom Montague:** When was the rules changed in transferring property at no cost, from day one in order to donate land to the state there would be no cost to the state. Lancaster did that five years ago as well as Barstow.

**Secretary Thomas Johnson:** We are not paying for the land it cost money to do the environmental review, the soil, the title and the recording etc. That is being negotiated with the state.

**George Sinopoli, Chairman:** Who determines the environmental review. Like Fresno, it is clear environmentally. Can anyone answer that?

**Dr. Robert Johnson:** Yes the initial review has been done but the state law requires the department of environmental services and the department of general services to do their own.

**George Sinopoli, Chairman:** The group in Fresno is waiting for the transfer so they can make a park on the 27-acre for the veterans. The veteran's home is going to be surrounded by a golf course and 800 homes. I am involved in Fresno and I am involved with the Fresno people.

**Roger Brautigan, Undersecretary:** Two comments, first the request of the land for Fresno and Redding, the official request from the Department of Veterans Affairs has gone forward. The Secretary continues to work with the department of finance and DGS and we anticipate a success. The other comment regarding the project of GLAVC is slow but I can assure you because of the relationship that the Secretary has built and with leadership here at the greater Los Angeles Healthcare system and the work we have done with Ralph Tillman's staff we have got this to Washington. They have indicated to us they in turn are hoping to turn this around as soon as possible. With all your help and all the help of all the great veterans here we anticipate that to will be a success.

**George Sinopoli, Chairman:** Thank you Mr. Undersecretary. My mission is to work for Veterans and that is what I am going to continue doing.

**Roger Brautigan, Undersecretary:** I am glad you do.

Review appeal of Emily Straubinger, Farm and Home Purchases

**Dr. Vernon Chong, member:** Reviewed appeal. Her appeal involves with the Farm and Home Division and her policy that state she may appeal the decision of the department to file a lawsuit against CDVA. She request in writing from Farm and Home that the one year statute of limitation on her insurance policy will be waived. Her home was destroyed by wild fire in 2003 and filed claim. She was provided two estimate not line items estimate for 2600 sq feet of the replace cost of her home. Her original home was 1795 sq feet. She did agreed with the replacement cost and CDVA did receive a check \$235,000 plus a \$50,000 was placed in escrow. Total of \$299,000 and also Emily Straubinger received \$29,000 for additional living expense. She wants in writing that is not held to the one-year statute of limitations on her insurance policy. The did not agree the original estimate and was provided a line item estimate from the insurance company but has not provided further estimates. I had discussions with Debra Lehr and that the department has sent her letter waiving the one-year provision. They had not denied her. She went directly to the board. Let the recommendation concur that there be continuous with her case the Farm and Home division with Emily Straubinger. A letter to be sent that her records have been reviewed

the process should be continued and the necessity of following up with the line items estimates of the replacement of the home and point out she has received a letter from Glen Rimby.

**George Sinopoli, Chairman:** My question is why has it taken this long to settle?

**Dr. Vernon Chong, member:** What I have gathered the insurance company acted promptly with line items estimates. The original two bids she had one was \$505,000 and the other \$586,000 which she agreed that the number was too high and she agreed with the settlement provided by the insurance company but by the mean time she spoke to other people that she was told she could get a higher amount based on square footage not necessarily line items way of adjusting it. The replacement cost of 150 to 160 sq ft replacement cost rather than going with the line items. Line items went by each room, the infrastructure of the rebuilding of that home. The delay has been she has not want to receive the payment because she feels that is not the proper settlement, in the mean time she has been told to please provide two more estimates which she has not done so.

**George Sinopoli, Chairman:** Any discussion from the board?

**Dr. Vernon Chong, member:** I think the Farm and Home Division has done what they are supposed to do.

**George Sinopoli, Chairman:** Any recommendations?

**Dr. Vernon Chong, member:** I think a letter should be sent and I will draft that letter for your signature.

**George Sinopoli, Chairman:** I don't think a motion is needed due to this was not an official appeal just the fact I was interested in what has happened. I know now what has been going on and it is a complicated issue between the veteran and the Department of Veterans Affairs.

**Dr. Vernon Chong, member:** I will so move to make a motion.

**Motion to send a letter to Emily Straubinger in the effect that the process to continue and she file the two estimates and she has been sent the letter waiving the one-year provision. Seconded by Leo Burke. Motion approved.**

Report From Board Members On Activities

**Judy Gaze, member:** July I attended a board meeting in Yuba City and attended chamber of commerce committee on veterans affairs.

**Dr. Vernon Chong, member:** Made a visit to the Barstow Veterans Home. In September I want to thank the Secretary and his staff being oriented by the department and staff. I am new to the board this is my third meeting. Meet with Ivan Greene, deputy secretary, Debra Lehr of Farm and Home division and Dr. Bob Johnson briefing of the department. We meet with the Policy and Procedure committee meeting. Meet with the administrator at Yountville and with the allied council. In the course of the past three months I am getting oriented and acquainted with the department and what the board does. For the last eight years I spent it with the USDVA and this is a little different from what I was use to.

**Leo Burke, Vice Chairman:** Attended board meeting in Marysville. DEC Executive meeting of the American Legion in Fresno and Policy meeting in Georgetown.

**George Sinopoli, Chairman:** Meetings in Fresno. CPR meeting in Fresno, which I spent the whole day there. I didn't have a chance to talk. They let two or three veterans speak. Charlie Waters got their attention. He explained what he thought what the board does, taking care of veterans, a cushion between the veteran the Department of Veterans Affairs. He got a pretty good cheer from the CPR group. CDVA Division Veterans Homes California

**Deputy Secretary Bill Parente:** It is an honor to be here and it will take a few moments to share very good news about our three homes. To begin with the home in Yountville successfully completed their licensing survey approximately at the end of June along with their life safety survey. Both of their plans of corrections have been submitted and accepted by the department of health services. The home in Barstow very recently completed their survey by the department of social services and their intermediate care services and had their licenses renewed and submitted their recertification of that unit and we are waiting for a response from the department of social services. Just three weeks ago the home in Chula Vista also successfully completed their licensing and certification and life safety survey and their plan of correction has been submitted but we don't have a response. I think it is sufficient to say that each home did receive some recommendations for change in policy and procedures but none of the findings are serious and none of the conclusions are that any of these non-compliant items with the applicable regulations are rise to the level of serious concern by each of the departments. Are there any questions?

**George Sinopoli, chairman:** Any questions by the board or the audience to the deputy secretary? Thank you.

**Deputy Secretary Bill Parente:** Mr. Chairman could I make a few remarks before I give up the podium. These are my own professional views they do not represent the views of the Secretary and I want to make that clear but I wish there was a better way to have you remember me at my first meeting. Mr. Chairman with all due respect I hope we could have some respectful disagreement but I think the board's prior action on Policy C-10 is inappropriate. I assume you will receive an appeal from the 49% or the 51% of the women residents who are quite comfortable and who spoke in favor of the existing policy at the town hall meeting. I believe you have allowed representatives of the minority to convince you that this policy needs to be changed. I will present to you one situation, which this new policy will allow. Let's suggest to you that a 65-year-old veteran marry a 50 non-veteran and let's say 10 years later the veteran expires at the age of 75 and non-veteran spouse will be 60. Under the new policy the non-veteran spouse will have 10 years seniority given them more seniority than a 62 year old veteran who would be on the waiting list. If the Secretary would let me put my views aside, I will do as the Secretary directs and I will carry out and I will assure you we will carry out the existing policy. I express my views and I think that is my responsibility to express my views and I've done that and I will do what the Secretary directs.

**George Sinopoli, Chairman:** Thank you for your views.  
Select Committee

**George Sinopoli, Chairman:** Dr. Chong do you have any remarks on that?

**Dr. Vernon Chong, member:** As mentioned as far as the Veterans Homes I did visit Yountville, Barstow.

**Judy Gaze, member:** During the month of August there were 177 Cal Vet home loans. An 11% decrease in the number although it was only a 1 ½ % decrease in the dollar amount. This is due to the commercial interest rates have fallen again. We are in the process of reviewing lowering the Cal Vet interest rates again but we need information from the bond office to look at the cash flow. There is no legislation change in HR 1742.

**George Sinopoli, Chairman:** Interest rates are going up?

**Judy Gaze, member:** Yes the markets are changing daily and that is why are interest rates committee discusses monthly what we should do.

**George Sinopoli, Chairman:** Vernon do you have anything on Veteran Services?

**Dr. Vernon Chong, member:** Not at this time.

**George Sinopoli, Chairman:** Thank you. Policy and procedure?

**Dr. Vernon Chong, member:** As discussed earlier we had a committee meeting we discussed C-10 and also reviewed other policies. The other policies we looked at are B-1, B-3, A-4, B-9 we are still are discussing those and the need for revision.

**George Sinopoli, member:** Leo do you have anything on Legislation?

**Leo Burke, Vice Chairman:** I just want to say thank you for giving my report Mr. Chairman.

**George Sinopoli, member:** It was exciting to say 100 million dollars for the veterans. I want to recommend to the board that we recommend to the board that we give an award to a gentleman who served the board. I thought he was going to be here today. You are here please come forward Dr. Feldman, a former board member who had to resign due to health but he looks like he is ambulatory right now and appreciate him being here.

**Dr. Edward Feldman, member:** I want to make clear that the board should remain a vital entity. The board shares common interest with the veterans and serves veterans. The department is about implementation and the board is about developing policy and this provides balance. It pleases me to see everyone sitting in the same row because that is an example of working together. As a closing comment, thank you for the recognition, anything that I could do in serving the board at any capacity. Thank you all.

**George Sinopoli, Chairman:** If you are able please come to future meetings if you can.

**Joe Maguire, Deputy Secretary:** I also would like say to Dr. Feldman it is nice to see him back, he fought heroically in Vietnam and he looks like he is fighting heroically again on the home front, it's good to see you Ed. The law office presently has 75 cases. 9 department of health citations, 22 civil litigations, 9 legal opinions, 14 personnel actions, 7 miscellaneous projects, 4 public record acts request, 2 motions for relief of stay, and 6 unlawful detainer cases.

**PUBLIC COMMENTS – FIVE MINUTE LIMIT**

**Terry Tracy:** Read as matter of record a resolution passed by the department of California American Legion. Vigorously opposing the dissolution of the California Veterans Board. I will make remarks after this meeting.

**Dr. David Salopek, Chairman of Allied Council:** The California Veterans Board is very important to the board and remarks will be made after this meeting. Secondly, an item that was before the board regarding C-10. From a historically point of view we found honor and dignity relating to members of the veterans homes and at some point in this process honor and dignity was taken out of the paper work. We all hope that all members when accepted when admitted to all the veterans' homes have honor and dignity. In all due respect Mr. Parente in our Veterans Homes we do not have unanimity on any one issue but we do try to reach a consensus. Historically every four or five year over the last five years one or two individuals in the home have tried to reach seniority over other individuals to get a private room. Each time the leadership of the home was presently with this problem and they fell back on we are a classless society, no individual or groups can enjoy special privileges over the expense of others and we have no sub-class. What happened when the policy was changed by the former interim Secretary we created for the first time in 120-year history of our veteran's homes this last April we created a sub-class of citizens? Widows of veterans who are full members of our Veterans Homes. A sub-class was created after the month of March that any veteran and spouse when one passes away seniority would go back to zero in affect probably negating a possibility of ever receiving a single room. That was the issue on the table and we appreciate the wisdom of the board and the Secretary and the leadership of the department to recognize this terrible inequality. If there are problems and a legitimating one as you pointed out we could have non-veteran spouses come into our home at age 55 and veteran women who have served their country honorably and if they are healthy can come to our home until 62. We can correct this through legislation, through the Secretary, through deputy Glazier working with the legislatures. The inadequacies that are here can be dealt with legislatively to change the code but what was done through the back door in the dark of night and not in the bright light of sunshine through misrepresentation of direction, no more than four or five individuals raised this issue that affect 125 spouses of veterans who have helped their husbands nobly, support the home front, managing businesses and homes and after 40, 50, 60, 70 years of marriage upon the death of their husbands at our veterans homes their honor and dignity is taken away from them and they revert to zero seniority at age 80 or 85 and when member females come into our veterans homes it takes 18 months to 24 months to get a single room in the first place and they want to jump over people who have 10, 20, 30 years of not only devoted service to their devoted husbands and loving spouses but they save our tax payers enormous amount of money by ministering to their husbands providing health care by bathing them, feeding them, clothing them, supporting them physically, spiritually, emotionally and we are going to take their seniority away and that is unacceptable, it is un-American and can not and must not take their honor and dignity away from these people. 85 to 95 % of the time the members of the home, the Secretary's leadership through the Department of Veterans Affairs this wonderful board we are in agreement. Here is an issue with multiple points of view, we must maintain our good will we must work together we must be equitable there are differences, lets settle it through this policy determining board not let people sneak around through the back door which was done before the present honorable Secretary and good man has come into this leadership position for veterans and veterans in our veterans homes and work together in resolving this issue in the bright light of sunshine. Thank you.

**Tom Montague, Vice Chairman Allied Council Yountville:** At the end of every speech there is a sentence and at the end of every sentence there is a period that is a punctuation mark and at this case I am the punctuation mark.

**Don Lake:** A former patient from the domiciliary home in Barstow from April 1998 to January 1999. May of 1998 I other abused veterans formed an ad hoc group named veterans for a better veterans homes. Read a resolution by the reformed party of California state convention of May 2004.

**Bill O'Connor:** Asked when are the 200 empty beds going to be filled.

**Secretary Thomas Johnson:** Replied of replacement board represented from the home. There are three individual from the Barstow homes applications at the Governor's Office and it was expected to have one appointed by this meeting? There are a number of positions that they are working on. I would have expected that it would have happened by the next meeting.

**Bill O'Conner:** We have the two applicants right here.

**Secretary Thomas Johnson:** Yes I meet them both. I read the book pork chop hill. I meet Bill Jackson. I hope it will happen by the next board meeting. Second question, we do have preferences on BCP's to be one to further expansion of residents at Barstow but we have to do this at a gradual basis. We have to build our credibility with the department of health and build the necessary certifications from medical and medi-care patients. We have to build gradual and it does take time, it a staffing prospective.

**Bill O'Connor:** It's nice to hear you talk about staffing prospective but 200 plus setting there and vets coming back from Iraq who are treated at Walter Reed and kick out in the streets and I understand it is federal program but we were built by 65% federal money and I don't understand why you can't take federal funds from an other place. The LA times had an article discussing this and it is so sad to see these beds sitting there.

**George Sinopoli, Chairman:** Thank you Bill, The next meeting is in San Diego on October 8<sup>th</sup>. Does the board want to consider November and December? I understand the board will go to Yountville in December. What about November? Leave it open.

**Judy Gaze, member:** Our next meeting is scheduled for San Diego. October in San Diego is Fleet Week honoring active duty and veterans who live in San Diego community. I would invite all of you to attend the many events. The week of our meeting we have been invited to attend the graduation. There is information in your packet. Our meeting would commence in the afternoon on that Friday. I would like an agreement to work with the people in San Diego to get us to attend the graduation ceremony.

**George Sinopoli, Chairman:** A question was asked if there's a meeting at 1:00 p.m. in this room?

**Secretary Thomas Johnson:** Yes, there will be a town hall meeting in this very room from 1:00 p.m. to 3:00 p.m. and those of you who interested in weighing in further we will be here to listen to your input.

#### **FUTURE MEETING DATES AND LOCATIONS:**

All meetings take place on Friday unless notified.

Next board meeting October 8, 2004 San Diego

Yearly schedule is posted on web site: [www.cdva.ca.gov/board](http://www.cdva.ca.gov/board)

#### **CLOSED SESSION** (if necessary or required)

The general reason or reasons for a closed session, and the specific statutory authority therefore, are (1) to consider the appointment or employment of a public employee under the authority of Section 11126(a) of the Government Code; and (2) to confer with or receive advice from the

Board's legal counsel regarding pending litigation under the authority of Section 11126(E)(2)(A), (2)(B), and (3) of the Government Code.

- There being no further business to discuss the meeting was adjourned at 10:55 a.m.
- These minutes are only a summary of the proceeding portions are reported here verbatim.
- These minutes are posted to the California Department of Veterans Affairs on-line website at [www.cdva.ca.gov/board](http://www.cdva.ca.gov/board)

**ADJOURNED at 10:55 a.m.**